

I. MITIGATION STRATEGY

- A. The Nebraska Emergency Management Agency has primary responsibility for coordination, technical and administrative support, education, and provision of oversight of the Hazard Mitigation Taskforce. These functions are critical to providing a viable mitigation program for the State.
- B. NEMA does not undertake mitigation projects as a State agency, but rather promotes and oversees projects undertaken by political subdivision, State Agencies, and local governments. This plan will address vulnerability based on estimates provided by local risk assessments as local plans are completed and approved. As the local plans are completed their identified actions and projects are included in Attachment # 5. To further assess mitigation needs a table of buildings, land and equipment in Nebraska is included in Section II Risk Assessment.
- C. The workings of State government are best served through cooperative networking with the Natural Resources Districts, Public Power Districts, state agencies, and local governments in proposing and undertaking mitigation projects within the State. NEMA works closely with local governments within the State that desire to undertake a mitigation project within their jurisdiction.
- D. This concept has worked well within the State since agencies, commissions, districts, and local governments are best suited to know benefits of a project to their jurisdiction. The Nebraska Emergency Management Agency and the Department of Natural Resources have knowledge of areas where repetitive losses occur and take measures to promote mitigation projects in these areas.

II. STATE MITIGATION GOALS

Projects undertaken by state agencies or local governments must reflect at least one of the following goals established by the Governor's Disaster Recovery Task Force.

- A. Reduce or eliminate long term risk to human life
- B. Reduce or eliminate long term risk to property and or the environment
- C. Promote public awareness of hazards and associated response

III. CAPABILITIES AND FUNDING SOURCES

Many organizations contribute to the hazard mitigation efforts of the State of Nebraska. All these organizations need to work as a cohesive body to properly plan for disaster planning, response, and recovery. One organization alone could never handle the plans of the State, therefore the input and plans from many organizations is necessary. All the agencies listed below function during pre-, mid-, and post-disaster periods.

- A. Several funding venues are available through different state organizations, yet the funding for disaster mitigation across the State remains low. For many of the funding programs, only a portion of the necessary funding is provided and the rest must be found from other sources. For example, in the Corps of Engineers Planning Assistance to States Program, a 50% cost share from a non-federal sponsor is required. Finding a non-federal sponsor remains a difficult task. Attachment 3 is a table of available grants from non-governmental entities that can potentially be used to implement mitigation activities.

1. Nebraska Emergency Management Agency (NEMA)

The agencies in the Governor's Disaster Recovery Task Force work together to pursue appropriate mitigation actions under the guidance of NEMA and the Department of Natural Resources. While other State agencies and local governments administer their own programs, NEMA serves as the focal point for State mitigation by reviewing and monitoring mitigation projects across the State. NEMA is able to provide very limited mitigation funding through the State Public Assistance Program using the Governor's Emergency Fund in a State declared disaster. The State Public Assistance Program runs very similar to FEMA's and allows for upgrading of a project if it is cost effective and particularly if the damage has been repetitive, for example replacing a frequently clogged culvert with a larger one. NEMA also administers both the Pre and Post Hazard Mitigation Grant Programs

2. Nebraska Department of Natural Resources (NDNR)

- a. The Nebraska Department of Natural Resources by statute has authority for all matters pertaining to floodplain management. They administer the Flood Mitigation Program and contribute considerably to the mitigation efforts of the State by researching past flooding disasters, recognizing areas of high vulnerability, and creating statewide flood mitigation plans. The NDNR also oversees the activities of the Natural Resources Districts, the organizations responsible for many mitigation projects across the State. This organization receives funding and can help local jurisdictions, mainly for flood mitigation planning and mapping of flood plains.
- b. As the administer of the Flood Mitigation Assistance Programs (FMA), the NDNR receives and approves planning grant applications, recommends projects for FEMA approval, coordinates and participates in all activities of flood mitigation plans, and completes all required financial and performance reports for all grants. The NDNR also provides the State link to the National Flood Insurance Program.

3. Nebraska Department of Economic Development (NDED)

The NDED administers the Community Development Block Grant Program (CDBG) which provides annual direct grants to states which they in turn award to

smaller communities for use in revitalizing neighborhoods, expanding affordable housing and economic opportunities, and improving community facilities and service. This program is designed to benefit low- and moderate income families and the funds can be used for pre-disaster mitigation projects.

4. US Army Corps of Engineers (USCOE)

The Corps of Engineers develop and interpret flood and floodplain data. The Corps studies all aspects of flooding and provides this information to mitigation planners in the State of Nebraska. Several funding programs are available through the Corps of Engineers as well.

- a. The Section 22 Program is a study-level program used for the development of flood mitigation plans. The program requires a 50% cost share from a non-federal sponsor.
- b. Section 205 Flood Damage Reduction Program can be used to study flooding problems in urban areas, towns, and villages. If a federal interest is found during the initial phases of the study, this program is authorized to design and build flood damage reduction remedies. There is a requirement for non-federal sponsor cost share through the various project phases.

5. Nebraska Game and Parks Commission (NGPC)

The Game and Parks Commission coordinates all disaster operations, including damage assessment, conducted in State-owned parks, recreation, and wildlife areas. The NGPC also provides lifesaving small boat operations during floods and works as a cost sharing organization for projects that benefit the State. Game and Parks also awards and administers the Environmental Trust Grants that can be used by local jurisdictions for mitigation projects.

6. Nebraska Department of Roads (NDOR)

Since the DOR is in charge of all the roads and bridges in the State of Nebraska, their role in mitigation planning is crucial. Following disasters, the DOR aids in debris cleanup and repairs any damaged roads or bridges. Funding for these repair projects comes from the state and Federal highway programs. During the planning and construction phases, normal procedures are implemented to avoid adverse impact to streams, floodplains, or lakes. While they have no funding programs, meetings are held to ensure these projects will not cause flooding problems in the affected jurisdictions. Since contractors handle road-building projects, any flooding caused by incomplete drainage facilities or channels is the responsibility of the contractor.

7. Public Power Districts (PPDs)

The Public Power Districts in Nebraska are political jurisdictions governed by elected boards. The PPDs in Nebraska play a huge role in mitigation projects since they have historically undertaken many mitigation projects. The projects the PPDs undertake revolve around the protection, maintenance, and improvement of

energy transport and generation throughout the State. Nebraska Public Power District and other Public Power Districts have hardened hundreds of miles of power lines using upgraded wire, engineered structures to stop the cascading effect of poles due to wind and ice, and replaced three pole structures with five poled structures in strategic locations. All of these actions reduce the likelihood of a lost of power to virtually the entire State. The Maintenance Manager for NPPD's transmission lines said that during several past winter storms, where there would have been several miles with 20 to 40 structures down, there were only 3 to 5 structures down, saving millions of dollars in replacement construction. This project has been highly effective in minimizing power outages and promoting energy transmission safety

8. Natural Resources Districts (NRDs)

Like the PPDs, the NRDs undertake many of the mitigation projects across the State. Most of the projects revolve around flooding mitigation. The NRDs do receive some funding from the USDA Natural Resources Conservation Service. In certain cases, the NRDs receive funds for repairs of damaged agricultural lands from the Emergency Conservation Program organized by the USDA Consolidated Farm Services Agency. The work they do either by themselves or in cooperation with local jurisdictions, mitigates both flooding and land erosion in the State. It is proposed that the 23 Natural Resource Districts will become the vehicle to achieve local mitigation planning.

9. Nebraska Climate Assessment and Response Committee (CARC)

This legislatively established committee has been vital in the creation of the State drought mitigation plan. As part of the committee's defined duties, CARC researches funding and assistance programs to aid the State in times of disasters, particularly drought. Subcommittees of this group have produced and disseminated helpful public education materials to local jurisdictions to aid in the conservation of water.

10. In addition to these sources, funding sources are currently and potentially available from the following Federal Agencies:

- a. FEMA
- b. Department of Commerce, Economic Development Administration
- c. Small Business Administration
- d. US Development of Housing and Urban Development
- e. Department of Interior
- f. US Department of Agriculture, Rural Housing Service
- g. US Department of Agriculture, Rural Utilities Service
- h. US Department of Agriculture, Natural Resources and Conservation Service
- i. US Department of Agriculture, Farm Service Administration
- j. US Environmental Protection Agency

11. Private funding sources are listed in Attachment 3.

B. Local Capability Assessment

1. Local mitigation projects have proven to be extremely effective. Following the 1993 and 1998 floods several buyout projects were undertaken by both HMGP and other funding that has moved homes, businesses, and utilities out of hazard prone areas and some repetitive loss areas. Because of a continuing drought in recent years, the results of this particular project have not yet been documented. However, because of the nature of the project (removing facilities from flood zones), it is highly likely that risks and damage costs associated with the flooding area will be reduced if not eliminated.
2. Although these projects have been successful, average local capacity for mitigation is currently low. Many of Nebraska's local full-time Emergency Management Offices either consist of one person or are a regional office for two to eight counties. Because of the heavy workload for Homeland Security requirements of planning, grant writing, and management, these Emergency Management directors have limited time for duties of public education and disaster planning. This is why the involvement of public power districts and Natural Resources Districts is crucial in mitigation efforts; many local offices do not have the manpower or time.
3. Because Nebraska traditionally has had few federally declared disasters and those are usually close to the minimum dollar loss under the declaration formula, very few jurisdictions apply for or receive mitigation dollars. Another stumbling block for the use of mitigation dollars is the inability to identify the local matching funds. Local directors are under extreme political pressure to apply for and efficiently coordinate the Homeland Security grants making this their priority. Even the largest jurisdictions of Lincoln and Omaha have not developed Local Hazard Mitigation Plans in the past several years because of limited staffing.
4. However, by planning for Homeland Security grants, local governments take some steps toward basic hazard mitigation. For the Critical Infrastructure Grant, local governments identified critical facilities inside their jurisdictions. This data can later be used for hazard mitigation planning.

C. Evaluation of State Laws, Regulations, and Policies

State laws, regulations, policies, and programs related to hazard mitigation are adequate for Nebraska's ongoing hazard mitigation programs as far as the political situation will allow for the foreseeable future.

1. State of Nebraska Authorities in relation to Hazard Mitigation:
 - a. Nebraska RRS 81-829.31 to 81-829.73 (Nebraska Emergency Management Act)

- b. Nebraska statutes governing operation of the Department of Natural Resources RRS 2-1501 through 2-15,106
 - c. Nebraska statutes governing the State Floodplain Management Program, RRS 31-1001 to 31-1031
 - d. Nebraska statutes governing operations of the Natural Resources Districts, RRS 2-3201 through 2-3281
 - e. Nebraska Regulation on Municipal Zoning 19-901 and County 23-114
 - f. Nebraska Administrative Plan for Hazard Mitigation
 - g. State of Nebraska Flood Mitigation Plan
2. The State regulation on zoning in first and second class cities and villages (Revised Statute 19-901) says they may adopt zoning regulations but first they must:
- a. Establish a planning commission
 - b. Hold public meetings
 - c. Develop a comprehensive development plan
 - d. The Municipal Planning Commissions shall prepare and adopt implemental means as a Capital Improvement Program, Subdivision Regulations, Building Codes, and a Zoning Ordinance in cooperation with other Municipal departments, and must invite public comment and advice in their preparation. (Revised Statute 19-929)
3. A County Board has the power to create a Planning Commission, and adopt zoning resolutions. The County Planning Commission shall prepare and adopt as its policy statement a comprehensive development plan and such implemental means as a capitol improvement program. They must advise the public relating to promulgations of implemental programs (Revised Statute 12-114). The County Planning Commission may establish special districts or zones in those areas subject to seasonal or periodic flooding and such regulation may be applied as will minimize danger to life and property. (Revised Statute 23-114(c)(5))
4. In both of these regulations, the municipalities and counties may develop zoning regulations but are not required to. According to the Nebraska League of Municipalities, there is no listing of cities and villages that have adopted zoning regulation, however, they said most all of the first and second class cities and

villages have zoning and building code regulations. Attachment 2 is a chart showing Nebraska County Zoning Status as of February 2003.

5. The Nebraska Emergency Management Act addresses pre-disaster mitigation, post-disaster mitigation, and the development of hazard prone areas. For pre-disaster mitigation, “the Governor shall consider on a continuing basis steps that could be taken to prevent or reduce the harmful consequences of disasters, emergencies, and civil defense emergencies” (81-0829.43). It also provides the Governor with the power to make recommendations for mitigation projects. This Act also gives power to NEMA and other appropriate State agencies to study and monitor vulnerable areas and then pursue appropriate mitigation actions.
6. 81-0829.42 of the Nebraska Emergency Management Act lists appropriate post-disaster mitigation actions such as clearing debris and provides for “other measures as are customarily necessary to furnish adequate relief in cases of disaster, emergency, or civil defense emergency.”

IV. GOALS, OBJECTIVES AND POTENTIAL ACTIVITIES

- A. At the November 20, 2002, hazard mitigation planning meeting, representatives from the member agencies of the Governor’s Task Force identified the hazards Nebraska must prepare for, along with possible mitigation actions. These hazards and actions are listed in the first chart below. The State Hazard Mitigation Plan of 2000 also outlines hazards and possible mitigation actions, (items in chart in **bold**). Items appearing on both lists are indicated in *italic*. State agencies, local governments, and area districts (both public power and natural resources) could possibly undertake many of these mitigation activities.
- B. Based on input from the member agencies of the Task Force reviewed the items identified at the planning meeting and developed three goals. They further reviewed the possible and identified those that were cost-effective, environmentally sound and technically feasible based on the technical expertise of the membership (i.e. Dept of Natural Resources reviewed floodplain, flash flood actions). The second chart below starting on page 11 identifies objectives, implementation measures and priorities for these goals. These implementation measures include activities from planning to public education as well as the more traditional measures of relocation, flood proofing, and construction projects. This chart is a work in process and will evolve as priorities change and projects are completed.
- C. When the Nebraska Municipal Water Supply, Health, and Energy Subcommittee met on March 9, 2004, they identified mitigation objectives and implementation measures specific for drought. They also reviewed these activities based on the technical expertise of the member agencies. This matrix is included starting on page 16.